

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

TOWERCO 2013, LLC,

Plaintiff,

v.

BERLIN TOWNSHIP, et al.,

Defendants.

:
:
:
:
:
:
:
:
:
:

Case No. 2:22-cv-03294


Chief Judge Algenon L. Marbley

Magistrate Judge Elizabeth P. Deavers

ORDER

This matter is before this Court on Defendants' Motion to Stay the Preliminary Injunction Pending Appeal (ECF No. 43). On August 18, 2023, this Court granted Plaintiff's motion for preliminary injunction, thus enjoining Defendants from preventing the completion of the Berlin Station telecommunication tower in Berlin Township, Ohio. (*See generally* Op. & Order, ECF No. 39). Defendants have now appealed that order, and request a stay of the preliminary injunction pending resolution of the appeal. Given the time-sensitive nature of this request, this Court finds that expedited briefing is warranted. Accordingly, Plaintiff is **ORDERED** to file a response brief **within ten (10) days** of this Order and Defendants are **ORDERED** to file their reply brief **within five (5) days** thereafter.

IT IS SO ORDERED.


ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE

DATED: September 19, 2023